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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,018	12/31/2003	Chung-I Lee		9355

25859	7590	04/11/2007
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EXAMINER	
DARNO, PATRICK A	

ART UNIT	PAPER NUMBER
2163	

MAIL DATE	DELIVERY MODE
04/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief	Application No. 10750,018	Applicant(s) LEE ET AL.	
	Examiner Patrick A. Darno	Art Unit 2163	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 09 February 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s): _____.
13. ☐ Other: _____.

Continuation of 11. does NOT place the application in condition for allowance because:

Applicant Argues:

As indicated on page 4 of the current Office action, Zinda fails to disclose or teach data on a patent classification mode, a time mode, and a time range as originally recited in claim 3. Applicant has amended claim 1 by incorporating the substance of the patent classification mode limitation of claim 3 thereinto. Therefore amended claim 1 is novel under 35 U.S.C. 102(e) over Zinda.

Examiner Responds:

Examiner is not persuaded. The above argument is considered moot because such an amendment never occurred. If the Applicant wishes to submit this amendment, the Applicant can submit an RCE and have claim 1, as recited above, examined on the merits. The rejections are upheld.

Applicant Argues:

On page 4 of the current Office action, it is stated that Lee teaches the patent classification being the international patent classification, the United States of America patent classification, or a user defined patent classification (para. [0019]). Applicant respectfully disagrees and traverses. Lee discloses in para. [0019] that a search engine 304 performs searches based on input data such as: identification numbers (e.g., patent numbers); keywords; text or graphics in select fields (e.g., different segments or information fields of documents such as Publication Number, Publication Date, Title, Inventor, Assignee, Application Number, Filing Date, Related Data, Priority Data, International Classification, U.S. Classification, Cross-Reference Classification, Field of Search, References Cited, Forward References Citing Document, Examiner, Agent, Abstract, Background, Field of Invention, Summary, Brief Description of Drawings, Detailed Description, Claims, Drawings, etc.); Boolean logic characters; or other search criteria (e.g., date restrictions, etc.).

However, Lee does not provide any teaching or suggestion of the claimed "patent classification" comprising a user defined patent classification. Accordingly, Lee does not disclose, teach, or suggest the limitation of "a parameter obtaining module for obtaining data input by a user, the data comprising downloading parameters and data on a patent classification, the patent classification being the international patent classification, the United States of America patent classification, or a user defined patent classification", as set forth in amended claim 1 of the present application.

Examiner Responds:

Examiner is not persuaded. From the claim language it is clear that all that is required is one of the search classification types since the listing statement is an 'OR' statement. Specifically the claim language recites, "the patent classification being the international patent classification, the United States of America patent classification, or a user defined patent classification".

Clearly the Lee reference discloses wherein the patent classification is an international patent classification and United States of America patent classification (Lee: paragraph [0019]).

Since the Lee reference discloses sufficient limitations to satisfy the 'OR' statement, the claims remain rejected.

Applicant Argues:

Zinda discloses that a matrix approach is coupled with analytics and a spreadsheet like graphical reporting of results retrieved from sets of cross tabulated queries, and also discloses that rows and columns in the matrix are developed in light of a technology landscape (para. [0015]). According to Zinda, the rows and columns of the matrix are developed according to a technology landscape instead of variables. That is, Zinda does not provide any teaching or suggestion of any variables of the matrix. Therefore, Zinda fails to disclose or suggest the limitation of "a variable defining module for defining variables of a structured information report in accordance with the data obtained by the parameter obtaining module, and a column generating module for generating columns/rows of the structured information report in accordance with the variables of the structured information report," as recited in claim 1 of the present application. Applicant submits that the structured information report recited in amended claim 1 of the present application is patentably distinct from the matrix and the spreadsheet disclosed by Zinda.

Examiner Responds:

Examiner is not persuaded. The Zinda references discloses "a variable defining module for defining variables of a structured information report in accordance with the data obtained by the parameter obtaining module, and a column generating module for generating columns/rows of the structured information report in accordance with the variables of the structured information report" (Zinda: paragraph [0015] and paragraph [0052]).

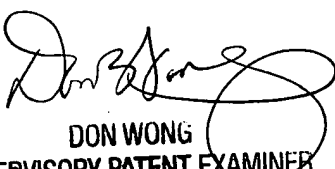
Specifically, note that data retrieved from the patents is output to, for example, a displayable matrix, and inserted into the matrix. Each portion of the matrix is mapped to a certain portion of the Application. This includes assigning variables and generating columns/rows in the structure information report ('matrix').

The rejections are upheld.

Examiner Comments:

The rejections under 35 U.S.C. 112, first paragraph, have been withdrawn by the Examiner in light of the Applicant's claim

amendments. Any further prosecution of the Applicant's claimed invention will require further search and consideration by the Examiner..



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